

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2625**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kiyotaka OHARA

Group Art Unit: 2625

Application No.: 10/669,877

Examiner: T. FOLAYAN

Filed: September 25, 2003

Docket No.: 116529

For: IMAGE READING DEVICE FOR TRANSMITTING IMAGE DATA TO TERMINAL
DEVICE

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Claims 1–26 are pending in this application. In reply to the April 14, 2008 Office Action and in consideration of the July 8, 2008 personal interview, reconsideration of the rejection is respectfully requested in light of the following remarks.

The courtesies extended to Applicant's representatives by Examiner Folayan at the personal interview held on July 8, 2008, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

It appears that the Office Action maintains the objection to claims 13, 15 and 17 for containing minor informalities. However, Applicant requests this objection be withdrawn in

view of the amendments to the claims in the December 27, 2007 Amendment that corrected the minor informalities.

The Office Action rejects claims 1–14 and 18–22 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,429,952 (Olbricht); rejects claims 14, 15 and 23 under 35 U.S.C. §103(a) over Olbricht in view of U.S. Patent Application Publication No. 2005/0264832 (Baum); rejects claims 16, 17 and 24 under 35 U.S.C. §103(a) over Olbricht in view of U.S. Patent No. 6,334,148 (Sandstrom); and rejects claims 25 and 26 under 35 U.S.C. §103(a) over Olbricht in view of U.S. Patent No. 6,958,832 (Maruta). Each of the rejections depend on Olbricht disclosing claims 1, 19, 20 and similar portions of claim 25.

As agreed during the personal interview on July 8, 2008, Olbricht fails to disclose "wherein the information contained in the pathname includes . . . second information representing a number of sheets of the original to be read, wherein the number of sheets of the original to be read can be set for each of the plurality of file formats," as recited in claims 1, 19, 20 and 25. Rather, Olbricht discloses that a user enters an internet protocol (IP) address or uniform resource locator (URL) instruct the disclosed device to display a page which with graphical information (Olbricht col. 3, lines 25–27). Olbricht clearly discloses that the control over the disclosed scanner is performed graphically between the web browser and the scanner and not "based on information contained in a pathname," as recited in claim 1. This conclusion is supported by Olbricht disclosing the URL is for browsing to the control page of the scanner but not disclosing that the URL is for controlling the scanner itself. Starting at column 3, line 41, Olbricht discloses the specific features of the graphics mode that allows the user to control the scanner. Further, Olbricht discloses that the disclosed invention may comprise Java applets in place of the HTML pages, which allows a more refined user interface, i.e., presents better graphics (col. 4, lines 8–11).

Thus, as agreed during the interview, the above argument overcomes Olbricht as Olbricht does not disclose "wherein the information contained in the pathname includes . . . second information representing a number of sheets of the original to be read, wherein the number of sheets of the original to be read can be set for each of the plurality of file formats," as recited in the independent claim.

As the rejections or presumptions required for the rejections all rely on Olbricht disclosing the features of the independent claims, which it does not, Applicant respectfully requests withdrawal of the above rejections.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1–26 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jesse O. Collier
Registration No. 53,839

JAO:KRG/jnm

Date: July 14, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--